

THIS OPINION WAS NOT WRITTEN FOR PUBLICATION

The opinion in support of the decision being entered today (1) was not written for publication in a law journal and (2) is not binding precedent of the Board.

Paper No. 40

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

MATTHEW A. PALMER
Junior Party¹

v.

DANIEL J. SULLIVAN
Senior Party²

Interference No. 104,093

JUDGMENT

Before URYNOWICZ, CAROFF and DOWNEY, Administrative Patent Judges.

URYNOWICZ, Administrative Patent Judge.

The Party Palmer has failed to make any showing why judgment should

¹ Patent No. 5,174,302, granted December 29, 1992, based on Application 07/621,867, filed December 4, 1990. Assignor to Cordis Corporation, Miami, Fla.

² Application 07/969,047, filed October 30, 1992. Accorded benefit Application 07/452,710, filed December 19, 1989, now U.S. Patent No. 5,209,730, granted May 11, 1993. Assignor to Scimed Life Systems, Inc.

Interference No. 104,093

not be entered against it in this proceeding.

Pursuant to the order to show cause of July 14, 1999 (Paper No. 35), the following judgment is entered:

Judgment as to the subject matter of count 1, the only count, is hereby awarded to Daniel J. Sullivan, the senior Party. The party Palmer is not entitled to its patent with its claims 1-5 and 7-12 corresponding to the count.

STANLEY M. URYNOWICZ, JR.)	
Administrative Patent Judge)	
)	
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)	
)	
MARC L. CAROFF)	BOARD OF PATENT
Administrative Patent Judge)	APPEALS
)	AND
)	INTERFERENCES
)	
)	
MARY F. DOWNEY)	

Interference No. 104,093

Administrative Patent Judge)

Interference No. 104,093

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